IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.24797 of 2004

Between:

K. Ranga Swami, s/o late K.A.S.Rao,
r/o D.No.6-1-340/B, Padmarao Nagar, Secunderabad-35.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Registrar of

Assurances, Hyderabad.
2 The Sub-Registrar of Assurances, Government of Andhra Pradesh,
Kavadiguda, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more in the nature of Writ of Mandamus, declaring the action of the respondents in not disposing of representation dated 15-12-2004 made by the petitioner to furnish the details of the Court to which the Volume was sent wherein the certified documents sought by the petitioner, one way or the other as being illegal, arbitrary and violative of Articles 14, 21 & 300-A of the Constitution of India, apart from the principles of natural justice.

Counsel for the Petitioner: MR.BIRUJUPAPA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not disposing of the representation dated 15.12.2004 made by the petitioner seeking to furnish the details of the Court to which the certified documents sought by him were sent as illegal and arbitrary.

The case of the petitioner is that his father late Sri K.A.S. Rao has executed a registered Will vide document Nos.40 and 41 of 1998 on the file of the 2nd respondent-Sub Registrar of Assurances giving the details of shares of the properties that were acquired by him and in the joint family properties. It is stated that as the petitioner recently came to know that some of his co-parceners are in possession of more than their shares as per the said document, he made a representation dated 01.10.2004 before the 2nd respondent seeking to furnish certified copies of the documents executed by his late father and the 2nd respondent through his proceedings dated 04.10.2004 informed him that the volume, in which the certified copies of documents sought by the petitioner, was produced before the Court. It is further stated that on receipt of said proceedings the petitioner personally approached the 2nd respondent and requested him to furnish the details of the Court as well the case number so as to enable him to obtain the required documents from the Court itself, but the 2nd respondent assured that he would take steps to get back the said record. The grievance of the petitioner is that since the 2nd respondent has not taken any steps in the matter he again made a representation dated 15.12.2004 before the 2nd respondent, in vain. Hence he filed the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed to dispose of the writ petition at the admission stage.

Since the representation of the petitioner dated 15.12.2004 is said to be pending consideration before the 2nd respondent-Sub Registrar of Assurances, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 2nd respondent-Sub Registrar of Assurances to consider the same and pass appropriate orders thereon in accordance with law within a period of ten days from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 30.12.2004

Nsr/Tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Registrar of Assurances, Government of Andhra Pradesh,

Hyderabad.

2 The Sub-Registrar of Assurances, Government of Andhra Pradesh,
Kavadiguda, Secunderabad.

3 Two CCs to GP for Revenue, High Court of AP, Hyderabad (OUT)

4 Two CD copies.